

Prepared Remarks of Commissioner Mignon L. Clyburn
MMTC Broadband and Social Justice Summit
John H. Johnson School of Communications
Howard University
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Thank you, Commissioner, for that kind introduction. As always, it is an honor to share the same “stage” with you. I appreciate being afforded this opportunity to join you and one hundred or so of our closest friends here at Howard University’s John H. Johnson School of Communications for MMTC’s Broadband and Social Justice Summit. David Honig and the good folks at MMTC selected an ideal venue for this exchange. Today we are discussing an emerging technology in front of emerging professionals in the communications industry. Indeed, the fresh faces in the audience should serve as a reminder of the awesome responsibility we have to develop a broadband model that will endure for generations to come.

Before I begin, I want to acknowledge my friend Jane Cabarrus, who is the President of the Northampton County Branch of the NAACP and the unofficial “mayor” of Weirwood, Virginia. Weirwood is an African American community on Virginia’s Eastern Shore that lacks broadband service, and Jane has worked tirelessly to bring broadband to her community in order to establish a computer center for kids to use after school. We should all applaud Jane for her exemplary efforts.

Many of the other participants in today’s summit as well as my colleagues at the Commission have already spoken quite eloquently about the important role of broadband adoption in the Commission’s National Broadband Plan due to Congress in March. Recently, Commissioner Michael Copps aptly described exactly what is at stake in our push for universal broadband adoption. He explained:

Broadband intersects with just about every great challenge confronting our nation – jobs, business growth, education, energy, climate change and the environment, international competitiveness, health care, overcoming disabilities, opening doors of equal opportunity, to name only the most obvious. Every one of these great national challenges has a broadband component as a critical part of its solution.¹

His words make crystal clear why widespread adoption, especially for people of color, is imperative.

Blair Levin reminded us earlier today, however, about the many complex pieces to the adoption puzzle. We must account for and address everything from the cost of service to digital literacy to the reality of “network effects.” Moreover, as I asserted in a speech delivered recently before the Joint Center for Political and Economic Studies, it is essential that we approach the adoption challenge from the point of view of the non-adopters, and not from a set of pre-conceived notions about what we assume their needs are. I call this challenge the “last *half*-mile” – the distance between each individual who has yet to integrate broadband into their lives and the physical infrastructure lying right outside their doors. For many, that last half-mile is uphill, barefoot, and through heavy

¹ Prepared Remarks Of FCC Commissioner Michael J. Copps, Practicing Law Institute, at 2 (Dec. 10, 2009), *available at* http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-295142A1.pdf.

snow. Our job is to figure out how to level the road, provide the right shoes, and introduce them to the latest weather app so they can plot their course accordingly.

It is also no secret what is at stake for traditionally marginalized groups when it comes to broadband adoption. What we now call the “digital divide” could soon expand into a digital canyon. In today’s fast-changing world, broadband is not a luxury; but rather, it is a necessity, a must-have. Need a job? You’ll have to go on-line for that. Want to manage your energy consumption at home? You’ll have to go on-line for that. Applying for government benefits? Before long, you will have to go exclusively on-line for that too. Ladies and gentlemen, our country’s broadband express – and yes, it is an express – is leaving the station. And for those who don’t have a ticket, they will be left standing at the gate.

But not all is as gloomy as the weather is outside today. There is actually some good news to report. First, I have met on a regular basis with the team’s adoption group, and I am confident that they are headed in the right direction. They have been developing innovative ways to incorporate adoption into all facets of the plan – and have explored avenues across the board with an open mind.

Second, we have been actively engaged with private parties who are essential to the broadband adoption equation. While some government money is and will be available to help defray the cost of broadband and to support creative adoption programs, it is evident that we cannot do it all on our own. That is why I am pleased to see key players, such as the National Cable and Telecommunications Association, step up to assist in the adoption effort. NCTA’s Adoption Plus initiative, a pilot program designed to promote sustainable broadband adoption for middle school children in low income households, appears to be a terrific start. Additional like ventures will continue to emerge, as universal broadband adoption is in the best interests of network operators and consumers alike.

It is also worth noting that some of the initial numbers rolling in from the Commission’s recent broadband adoption survey indicate that the percentage of people of color who are adopting broadband at home is once again on the rise. This is a welcome development in light of some recent surveys that found that African-American adoption rates in particular were lagging behind.

But when it comes to communities of color – and other traditionally underrepresented groups – the broadband story does not and *cannot* end with adoption. Broadband is not simply a one-way challenge limited to finding ways in which individuals can obtain meaningful high-speed Internet access. To view the problem in such a circumscribed manner misses some of the most potent aspects of this transformative technology.

Broadband’s key promise for people of color in particular is economic empowerment. For the first time, there are no immediate and overwhelming barriers to entry for upstart businessmen and women or “cyberpreneurs”. Broadband has opened avenues never dreamed possible by those in challenged communities.

Just ask Jonathan Moore, the Founder & CEO of Rowdy Orbit IPTV. Rowdy Orbit is an online platform featuring professionally produced original programming for

minority audiences. We learned at the Commission's Speech, Democratic Engagement and the Open Internet workshop in mid-December that Mr. Moore founded his company because he was frustrated over the lack of representation of people of color in traditional media. The reality is that minority content is almost impossible to get distributed through traditional channels.

With an initial investment of only \$526, Mr. Moore has created a platform for talented media creators to get eyeballs without the cost and culture barriers of traditional media. Had the costs of access been much greater, however – say if he had to buy his way into priority status on one or more networks – Rowdy Orbit may never have seen the light of day.

So in addition to the issue of how we tackle broadband adoption in communities of color, another central question we must answer is: How can we ensure that our communities can take advantage of this emerging economic force? And relatedly, how can we ensure that the current low barriers to entry remain low in order to prevent yet another communications model that has people of color once again on the outside looking in?

To my surprise, most of the filings submitted and public statements issued by some of the leading groups representing people of color on this matter have been silent on this make-or-break issue. There has been almost no discussion of how important – how essential – it is for traditionally underrepresented groups to maintain the low barriers to entry that our current open Internet provides. I have seen virtually nothing on how important it is that we not allow what is today our Internet become theirs.

One group that did explore this issue, the National Hispanic Media Coalition, outlined exactly what's at stake:

[High-speed Internet] is a tool for small business owners to effectively reach customers with only a computer and an Internet connection. It is a forum in which content creators can showcase their work without seeking permission from the customary content gatekeepers, such as movie studios, cable and television networks and music labels. It is a venue for journalists, who are facing greater unemployment due to media consolidation, to enhance democratic discourse and access new revenue streams through blogging and other online reporting.²

My friends, we are faced with one of those rare moments in time where a sea change is actually possible for groups that have traditionally been marginalized by the structure of the communications marketplace. We are on the cusp of a truly transformative moment. For far too long, women and minorities have struggled mightily to get a foothold as owners of our nation's primary means of communications. Only 7% of licensed radio stations are controlled by members of minority groups, while only 3% - *three percent* – of full-power commercial television stations are minority-owned. These numbers are appalling, and they show no sign of improving in the near future.

Few people understand this struggle better than former Commissioner Brown, who is in attendance today. As an FCC Commissioner, Ty was involved in some of the most positive and proactive measures the Commission has ever taken to improve

² National Hispanic Media Coalition Comments at 2 (Jan. 14, 2010), GN Docket No. 09-191.

minority ownership. Over 30 years ago, he was a member of the Commission when it adopted its tax certificate and distress sale policies, among others. Yet even Ty will admit that despite his formidable efforts decades ago, progress is hardly a word we can use to describe the status of minority media ownership.

My focus on the critical role of ownership in the media and telecommunications world should not be foreign to this audience. Indeed, not long ago, in its 2008 “Roadmap for Telecommunications Policy,” MMTC made the following declaration:

MMTC is now in its 22nd year of tireless work with one goal: ensuring that people of color will have every opportunity *to participate as owners, employees and suppliers* in the electronic media and telecommunications industries.³

These words, I believe, should apply directly to the Internet as well. Together we must ensure that people of color – and all Americans – can “participate as owners, employees, and suppliers” *on-line*. That cannot happen, however, if we passively permit a new set of gatekeepers to erect yet another set of barriers to entry.

Some of you have expressed a concern that we must be wary of open Internet rules because of the potential for “unintended consequences.” But the same argument can be made for any government regulation, especially those rules many of the folks here have sought on the media ownership front. For example, during a prior media ownership proceeding, various groups recognized that

[t]he ceiling stopping the advancement of minorities into ownership is fabricated of two ingredients: (1) discrimination and its present effects, and (2) consolidation that occurs *without the intervention of regulatory checks and balances and without the initiative of public spirited industry statespeople*.⁴

If we are all ready to call on the government to assist in the radio and television context long after the damage has been done – really when it’s too late – why not when the openness of the next great communications technology is at issue?

I fear that if we miss the boat on this opportunity, the Internet will end up becoming media ownership 2.0. I do not buy the argument that all regulation is dangerous, and I am confident that you do not either. I believe in smart regulation, which is why, for example, we have begun a process that will account for reasonable network management. But I hope we can work together to create strong rules that do not cede control of the most significant communications advancement in our lifetimes. By sitting this one out, or worse, by throwing up roadblocks that will enable what is now “our” Internet to become “their” Internet, we simply would be reinstating the very kinds of imbalanced structures that we have been attempting for decades to dismantle in other contexts.

Not everyone can be a John Johnson. The extraordinary things he accomplished in order to be among the leaders of the white-dominated media field earned him the

³ MMTC Roadmap for Telecommunications Policy ix (2008), available at <http://mmtconline.org/lp-pdf/MMTC-Road-Map-for-TCM-Policy.pdf> (emphasis added).

⁴ Diversity And Competition Supporters Comments at 19 (Jan. 2, 2003), MB Docket No. 02-277 (emphasis added); see also *id.* at 3 (stating that “[p]assively ‘monitoring’ the problem [of minority media ownership] will be futile).

Presidential Medal of Freedom. With an open Internet, we have the chance to lower the bar so that it no longer requires a Herculean effort to make your mark. You simply need to have a great idea and a business plan and you can be off and running.

I will leave you today with my one “ask.” I ask that you take a step back and look at the landscape – where we have been, where we are now, and where we so desperately want to be. The very same arguments and lessons we have learned in the context of radio and television ownership directly apply to what we face with the Internet. The key difference, however, is that we actually have a chance, from the outset, to take advantage of a fairly level playing field. So let’s seize this opportunity together. We need a passionate voice in this discussion and one that advocates for today’s and tomorrow’s young cyberpreneurs of color. They need your support and advocacy so that what many of us have fought so hard for may actually have a chance of coming to pass.

Thank you again for your time today and I look forward to engaging in these issues more fully over the coming days. And thank you again to Henry, David, and to Howard University for inviting and hosting me at your terrific event and venue. Finally, I would like to acknowledge the extraordinary efforts of MMTC, especially Jacqueline Cleary, for their terrific efforts in getting the word out to the people of Charleston and Memphis in advance of our broadband hearings in those two cities. We could not have done it without you. Godspeed.